

REMARKS

Claims 1-6 were presented for examination and were pending in this application. In the latest Office Action, claims 1-6 were rejected. On the basis of the following remarks, consideration of this application and allowance of all pending claims are requested.

Claims 1-3, 5, and 6 were rejected as obvious over U.S. Patent Application Pub. No. 2003/0154136 to Bittmann et al. in view of U.S. Patent Application Pub. No. 2002/0119767 to Fieldhouse et al., and claim 4 was rejected under Bittmann and Fieldhouse as applied above, and in further view of U.S. Patent Application Pub. No. 2002/0115424 to Bagoren et al. Applicant respectfully traverses these rejections because Bittman is not prior art.

Bittmann does not qualify as prior art under 35 U.S.C. § 102(e) because the claimed subject matter was invented before Bittmann's effective date of February 14, 2002. Specifically, the claimed invention was conceived of before Bittmann's effective date and an application therefor was prepared and filed with due diligence from before Bittmann's effective date to the filing of parent U.S. Application No. 10/138,398, of which the present application is a continuation. To antedate Bittmann and thus overcome the rejections based thereon, Applicant submits herewith a declaration and supporting exhibits pursuant to 37 C.F.R. § 1.131.

Based on the foregoing, the application is in condition for allowance of all claims, and a Notice of Allowance is respectfully requested. If the examiner believes for any reason direct contact would help advance the prosecution of this case to allowance, the examiner is encouraged to telephone the undersigned at the number given below.

Respectfully submitted,
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